IPEA
EPO
D-80298 Munich
Germany

22nd April 2005

Dear Sirs

PCT/GB2004/002725
Our ref: Drive Swap (PCT)

Thank you for the Written Opinion of the ISA.

The Written Opinion cites 2 category X documents against the independent claims:

     D1   US 2003/070110 (Aija Gunnar)

     D2   WO 01/09722 (Intel)

In light of the citations, the applicant files replacement pages as follows:

Replacement pages 3, 4, 10, 11 and 12 to replace the same pages as originally filed

Triplicate copies will follow by post, together with one set marked to show all changes.

Amended Claim 1 now reads:

1.   A portable computing device **controlled by an operating system,** in which, **if the operating system is intact but** an internal non-volatile memory drive that is used to boot the device to a functional GUI is found to be corrupted, then the non-volatile memory is automatically swapped with a temporary RAM drive **to enable the operating system to boot.**

The new text is shown highlighted.

It is clear from the specification as filed that the OS itself is not corrupt but remains fully functional; for example:

> "A third aspect is operating system software, for a portable computing device, comprising an internal non-volatile memory drive that is normally used to boot up the device to a functional GUI, in which the operating system software automatically swaps the non-volatile memory drive with a temporary RAM drive if the non-volatile memory drive is found to be corrupt." Page 4 lines 20 – 24.

Hence, the present invention deals with the situation in which the resident OS itself is *not* corrupt, but the *drive* that is used by the OS to boot the device to a functional GUI *is* corrupt. If the drive is corrupt, then the resident OS will not boot. The present invention proposes swapping out this corrupt drive with a functioning RAM drive so that the resident OS will boot.

The prior art on the other hand deals with the situation in which the resident OS or its logical drive is corrupt or should not be used for some other reason; hence, a new OS has to be downloaded. For example, D1 states:

> "To maintain functionality of the device after a crash of the hard drive, the non-volatile memory includes an executable program for downloading a secondary operating system from a remote server or other secondary storage during a start-up when the primary operating system in the hard drive is not accessible." Abstract.

Likewise, D2 states:

> "An operating system may be stored in a reprogrammable memory. The memory may store a primary operating system and recovery operating system. The recovery operating system may automatically obtain a new operating system to replaced a corrupted or outdated operating system" Abstract.

To clarify the distinction over the prior art, we now specify that the device's resident OS is intact and that this intact OS is the OS that boots.

In the light of the above arguments and amendments, re-consideration of the present application is requested. Should the examiner require further clarification, a further Written Opinion is requested.

Yours faithfully,

Peter Langley